GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants - Revenue (Commercial Taxes) Department - Surprise check conducted on 29.08.2009 on the O/o. Assistant Commercial Tax Officer, Commercial Taxes Dept., Guntur, Guntur district - Departmental action initiated - Inquiry report submitted and communicated - Show Cause Notice issued - Representation submitted - Punishment proposed - Revised Show Cause Notice issued - Imposing penalty withholding of 10% cut in pension permanently against the Suspected Officer-1 Sri Onadi Siva Reddy, S/o. Venkata Reddy, Ex Assistant Commercial Tax Officer, now retired from service on 31.07.2012, O/o. CTO, Eluru Bazar, Guntur under Rule 9 of A.P. Revised Pension Rules, 1980 - Orders – Issued.

REVENUE (VIGILANCE-VI) DEPARTMENT

G.O.RT.No. 76 Dated: 03-02-2025

Read the following: -

Ref: 1. From the DG,ACB, Lr.C.No.42/DES-VGT/2009, dt.30.08.2010.
2. Govt.Memo.No.43083/Vig.1(2)/2010-1, dt.12.10.2010.
3.From the Dy. Commr. (CT), Guntur, Procgs.Rc.No.615/2010, dt.07.04.2011.
4. Explanation of Sri O.Siva Reddy, ACTO (Retd.), dt.21.01.2020.
5. From the Chief Commissioner of State Tax, Lr.Ref.No.V3/1365/ 2010-II,dt.05.08.2022.
6. Govt.Memo.No.CCST0CCTV(ACBC)/21/2019, dt.27.06.2022.
7.Govt.LetterNo.1024104-CCST0CCTV(ACBC)/21/2019, dt.11.08.2023.
8. From the Secretary, A.P.Public Service Commission, Lr.No.GAD03-APPSODCC/103/2023-DC.SEC-APPSC(Comp.No.2237552), dt.05.12.2023.
9. Govt.Memo.No.REV01-CCST(ACBC)/21/2019-VIG-II, dt.09.09.2024.
10. From the Chief Commissioner of State Tax, Lr.Ref.No.Rc No. 615/2010/A2, dt.7-10-2024 along with repn of Representation of Sri O.Siva Reddy, ACTO (Retd.), dt.30-9-2024.

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O R D E R:

Whereas in the reference 1st read above, the DG, ACB has reported that a surprise check was conducted on 29.08.2009 by the ACB and found certain irregularities at the Vehicular Traffic Check Point (VTCP) of Commercial Taxes Dept., at Chuttugunta, Guntur Town and recommended to initiate departmental action for major penalty under rule 3(1)(2) & (5) and 9(88) 9(8A) of A.P.Civil Services (Conduct) Rules, 1964, against five (5) A.Os i.e., 1) Sri Onadi Siva Reddy, ACTO (SO-1 retired from service on 31.07.2012), 2) Sri Oleti Srinivasa Rao, Jr.Asst. (SO-2), 3) Sri Saluvadi Venkata Koteswara Rao, Jr.Asst. (SO-3), 4) Sri Rachakonda Venkateswara Rao, Attender (SO-4 who expired on 17.10.2020 and abatement orders issued) and 5) Sri Patan Hafeez Khan, Driver (SO-5) respectively.

2. Whereas, in the reference 2nd read above, Government requested the Chief of Commercial Taxes to initiate disciplinary action against the five (5) S.Os duly following the procedure. The Chief Commissioner of State Tax conveyed that the Dy. Commissioner. (CT) in the reference 3rd read above, issued Charge Memos to the above Delinquent Officers. Upon receiving their explanations, Inquiry Authority and Presenting Officer were appointed in accordance with the A.P.Civil Services (CC&A) Rules, 1991. The inquiry was conducted by Sri A.Siva Rama Prasad, CTO, Mangalagiri Circle and submitted his inquiry report against the D.Os i.e., 1 to 5 were found guilty of the charges framed against them. In respect of A.Os 2 to 5, the Dy.Commissioner

(P.T.O)

(CT) proposed a minor penalty of withholding of one annual grade increment without cumulative effect under Rule 9(iv) of A.P.C.S. (CC&A) Rules, 1991. Further, action abated against Sri R. Venkateswara Rao, Office Subordinate (Retd) as he expired on 17.10.2020 before conducting the disciplinary proceedings vide G,O.Rt.No.461, Revenue (Vig.II) Dept., dt.27.06.2022.

3. Whereas, the Chief Commissioner of State Tax in the reference 5th read above, while forwarding the explanation of Sri O.Siva Reddy, ACTO in the reference 4th read above along with check list and Annexure attested by J.C. (ST), Guntur Division has stated that AO-1, namely Sri O.Siva Reddy, ACTO had retired from service and the Government is the competent authority to take action against him.

4. Whereas, after examining the inquiry report, the proposal of the Chief Commissioner of State Tax and the representation of the Charged Officer, Government in the reference 6th read above a Show Cause notice was issued to Sri O.Siva Reddy, ACTO (Retd) and informed that the Government have provisionally decided to impose a punishment of withholding of 3% cut in pension for a period of one (1) year, under rule 9 of A.P. Revised Pension Rules, 1980. The Charged officer has submitted his explanation in the matter.

5. Whereas, in the reference 7th read above, Government consulted the AP Public Service Commission on the proposed punishment for their concurrence/advise to impose penalty of 3% cut in pension for a period of one (1) year against Sri O.Siva Reddy, ACTO (Retd) under rule 9 of A.P.Revised Pension Rules, 1980.

6. Whereas, in the reference 8th read above, the A.P. Public Service Commission have advised that considering the gravity of the charges of corruption and dereliction of duty, which have been proven beyond doubt, permanently 10% cut in the pension would be a more appropriate penalty.

7. After considering the advice of the APPSC, in the reference 9th read above, a revised show cause notice has been issued to Sri O.Siva Reddy, ACTO (Retd) to show cause as to why the penalty of withholding of 10% cut in the pension permanently shall not be imposed and directed to submit his explanation within 15 days from the date of receipt of the Memo. In the reference 10th read above, the Charged Officer has submitted his explanation and requested the Government to reconsider its decision and impose the original proposed penalty i.e 3% cut in pension for one year.

8. Government after careful examination of the matter in view of the explanation submitted by the Charged Officer and findings of the Inquiry Officer, hereby order to impose penalty withholding of ten percent (10%) cut in pension permanently against the S.O.-1 Sri O.Siva Reddy, Ex-ACTO (Retd), O/o. CTO, Eluru Bazar, Guntur.

9. The Chief Commissioner of State Tax, Andhra Pradesh, Vijayawada shall take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

PEEYUSH KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Individual (through the Chief Commissioner (State Tax), Guntur)
The Chief Commissioner of State Tax, Andhra Pradesh, Kunchanapalli, Guntur.
The Secretary to Vigilance Commissioner, A.P Secretariat, Velagapudi
Sf / Scs.

//FORWARDED: BY ORDER//

SECTION OFFICER